THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.9491 OF 2006

ORAL ORDER:

The petitioners, who claim to be the owners of certain buildings situated in Narsipatnam village, filed this writ petition with the following prayer:

> "..Writ of *mandamus* declaring the action of the respondents in not issuing Gazette Notification and not following the procedure contemplate under National High Ways Act, 1956 and Land Acquisition Act, is arbitrary, illegal and capricious.."

In response to the notice ordered by this Court, counter affidavit has been filed on behalf of respondents 2 to 5, stating that except issuing the proceedings to all the Superintendent Engineers of R & B that there is likelihood of sanction of loan from World Bank in the second highway project in the State of Andhra Pradesh and further directing the Superintending Engineer to mark the road boundaries by fixing standard boundary stones as per IRC standards, no further action has been initiated as on today either for expansion of road, laying of road or acquiring properties of the petitioners and, therefore, the writ petition, which is filed on mere apprehension, is pre-mature.

A separate counter affidavit has been filed by the 1st respondent stating that the National Highways Authority of India is in no way connected with the expansion work of Narsipatnam to Anakapalli road and its acquisition activities.

Having regard to the stand taken by the respondents in their counter affidavits, which is not contradicted by the petitioners, the writ petition is disposed of recording the statement of the respondents and making it clear that in case the land in question is required for the purpose of laying road or for expansion of the road, the respondents shall take appropriate steps following due process of law. No costs.

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(G. ROHINI).

18th April, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.9491 OF 2006

18th April, 2007.

Between:

Velga Narayana Rao and others. .. Petitioners.

And

The Project Director,
National Highway Authority of
India, Visakhapatnam and others. ..
Respondents.